

HB 1771 -- Declared States of Emergency

Sponsor or Co-Sponsors: Barry, Reid

Same as or similar to: Year:

Emergency Clause: YES

Use Summary For: Version:, Year:,

Verbatim:

Modify above as follows:

New summary as follows: The bill pertains to declared states of emergency.

The bill:

(1) Contains a definition for "bio-terrorism" and includes the definition under the existing definition for "disasters". The term "imminent threat" is included under the existing definition for "emergency";

(2) Exempts the state, political subdivisions, the Governor and other specified persons from liability for the death or injury of a person or from damage to property resulting from an emergency. The exemption does not apply to cases of gross negligence or willful misconduct;

(3) Provides immunities from civil liability for persons, firms, corporations and other specified individuals who render assistance during an emergency as stated;

(4) Adds "volunteers who respond to emergencies" to the list of persons covered by the State Legal Expense Fund;

(5) Requires all licensed pharmacists to report to the Department of Health and Senior Services any unusual or increased prescription rates, unusual types of prescriptions or unusual trends in pharmacy visits that may be potential causes for an emergency;

(6) Requires all veterinarians, veterinarian diagnostic laboratories and livestock owners to report to the department any animal having or suspected of having an illness, disease or health condition identified as a potential cause of an emergency;

(7) Requires all out-of-state laboratories that collect specimens in Missouri to report to the department any case involving persons who have any illness or health condition that may be a potential cause of an emergency;

(8) Amends Section 192.320 RSMo, pertaining to the authority and duties of the Department of Health and Senior Services by adding language pertaining to medical examinations for infectious or communicable diseases; violations of isolation and quarantine orders issued by the department; mandatory reporting of infectious or communicable diseases and refusing to cooperate

with the department during a disease outbreak;

(9) Contains penalty provisions for persons who violate Section 192.320 during an emergency or during a non-emergency period. Persons who violate Section 192.320 during an emergency will be guilty of a class D felony. Persons who violate Section 192.320 during a non-emergency period will be guilty of a class A misdemeanor;

(10) Allows the Attorney General to file suit in the circuit court for injunctive relief pertaining to Section 192.320, the authority and duties of the Department of Health and Senior Services;

(11) Allows the department to waive the registration and record-keeping requirements of Section 195.010 through 195.100 RSMo, pertaining to the Narcotic Drug Act, during an emergency if the department determines that the waiver is in the best interests of the public's health;

(12) Revises a provision pertaining to the application of letters of administration upon a missing person or a decedent's estate. Language is added pertaining to a specific peril of death due to an actual or suspected terrorist event; and

(13) Revises the provision pertaining to the presumption of death. A person exposed to a specific peril of death can be a sufficient cause for determining that the person died after the exposure and less than five years after the date of the person's absence.

The bill contains an emergency clause.